is, it aint a long one, says I. And so I tell'd the Gineral that snake story you've hearn me tell afore. How I was once walkin in a field down there to Downingville, and hearin a clatter, and seein no one, but to rights findin that it all come from a big black snake more than half a rod long, the tail quarlin with the head about takin the lead: and saying the head had led long enuf, and the tail ought to try its turn a spell—and so the head give up and let the tail have his way—and I follow'd on to see how things would work that way—and so arter goin agin the scales a spell, & makin things grit considerable, the tail tried to go threw a stone fence, and gittin jam'd riggled and twisted and screwd and could'nt go on; and the head of the snake wanted to know what was the matter, and why it did'nt go threw, and that he had gone threw the same fence twenty times—the tail got a little rathy, and a little asham'd, and did'nt like to tell.

When I got so far in my story, the Gineral who had been all the while sittin and lookin right at the fire, turn'd round and gin me a plagey inquiring look, and I stopp'd short off—well, says he, what was the eend on't? why, says I, Gineral I haint got time now to tell you, but says *I*, the next time we meet I'll finish the story, and with that I made the Gineral a rale cabinet bow, and I walked strait out of the white house feelin pretty much, *I* suppose, like a good many folks afore me who have had their say there and then cleared out. As soon as I got outside, I was a leetle stump'd to know which way to steer—I had some bread and cheese in my pack, but I wanted a place to go to for the night—and there was so many Committee folks in Washington, every tavern was chuck full—but jist then I see the flag go up at the capital, and thinks *I* I'll go there and try my luck, and up I went—but owing to my being stopp'd so often on the way, by folks all wantin to know what had happen'd, by the time *I* reach'd the capital all Congress knew it, and all parties was in a talkin about it. I went first to the House of Representatives, and I let em know there that all I wanted was jist to be allow'd to stop there over night; and then came sich knockin of noses—Mr. Adams spoke for more than half an hour in favor of having a cot put up for me right off—Mr. Cambreling from York city said it was altogether a great party question and must be handled carefuly, and he wanted time to consider on't. I ask'd Mr. Lawrence another New York member if he couldn't give me a lift—first he thought he would, and he pick'd his teeth on one side, and said he'd jist see his friends about it—when he got back, *I* found he was pickin teeth on tother side, and said, he was afraid it would not do, seein he was now a candidate for Mayor up there in New York, and he must go with his party.

And so after nigh about all the speakers got a chance, and some on 'em was jist beginnin to speak a second time, Mr. Beardsley said, "if Congress, and Credit, and Banks, and Canals, all perish'd, he'd vote agin it; and to cut the matter short, he mov'd the previous question, and Mr. Vanderpool from Kinderhook, (who I thought was the one who wrote that Dutch letter to me,) he said it was all a "humbug" and he seconded the motion. When they come to count over the names, there was a tie, and the speaker had to ontie the hull on't; and so he got up and made a considerable of a speech about it, and wound up by saying the *Cheer* had never been call'd on to decide on a more important pint, and that though the *Cheer* could give 9000 reasons right off, for the vote he was about to give, yet he would give but one, & that was, that the Major could not have a bed there; he knew the Bank and Biddle had a hand in sendin the Major there, and that was enuf for him; and so the *Cheer* decided that the Major must *tote* his bundle out. Well, thinks I, that was a pretty tight vote, any now, and I went over to the Senate Chamber. There they were all at it too, as soon as I walk'd in, Mr. Van Buren called Mr. King of Alabama, to take his place, and I could ony git a glimps on him now and then, dodgin about, and no critter could tell whether he was tickl'd or not. Mr. Grundy wanted to have the hull matter refer'd to his Committee on the Post Office. Mr. Clayton said he wouldn't agree to that, for that Committee would never report in creation, and when they did, perhaps they'd find the Major's name scratch'd out, and some one else written in the place on't.

Mr. Calhoun said he was glad the Major had come there, the "Conservative principle" says he, is now getting to be better understood; States shou'd stick to it with reference to the Gineral Government, Counties to States, Townships to Counties, Families to townships, and Individuals to Families—so that philosophically and metaphisically, and, above all, politically speaking, the Major had as good a right to the use of the Senate chamber as the Gineral Government, and here, says he, is the butt end of my notions of nullification, and *I* hope the Major and every man will now fully understand me—at one end of the avenue, says he, stands the white house, and at the other end the Senate chamber.—"Consolidation" there—"Conservative" here—and he wound up by saying that for his part he was ready to contribute his chair and desk for the Major to spread his bed on. Mr. Benton was just goin to begin, and *I* was about swingin my pack on my shoulders, for when he gits hold he hangs on like a toothache, and wou'd a talk'd all night, and so they call'd question like all natur, and he took his seat. Mr. Webster, he got up next, and was just agoin to tackle on and take a pull upon Mr. Calhoun's Conservative notions, but he had'nt gone far when he took out his watch and seein it was gettin late, he said he would not take up the constitutional part of the question, for if he did, and seein that he must sift the hull principle of consolidation and conservative notions, the Major might lose his nights lodgins, and so he moved that the application, along with the Major, his ax and bundle, be laid on the table for that night; and if the table warn't big enuf he'd push his'n along side on't; then come a leetle kind of a tussel, and pritty nigh the hull on 'em had something to say. When Mr. Clay got a chance, (he is a master hand, you know, in quietin matters when they git in a snarl,) he said there was no doubt a large majority of the Senate was in favor of givin the Major a place to lay his head, but the great difficulty was to decide whether it would be an act growin out of the conservative principle, or the principle of consolidation, so ably stated by the gentleman from South Carolina; and as regarded the constitutionality of the measure, he was desirous to hear the gentleman from Massachusetts at an early hour the next day, and he had no doubt that gentleman would ably expound it, and that he for one was sure he should not differ with him; but, says he, the Major wants a bed, and it's now almost bed time and I therefore, says he, offer the following resolution:

Whereas consolidation is known to exist at one end of Pennsylvany avenue and the "conservative principles" sometimes call'd and unjustly call'd nullifications at the other end.

Therefore, Resolved, That until the Constitution shall be distinctly and clearly expounded, it is saftest for the Major to take up his night's lodging just half way between these two extremes.

The Resolution was then put and carried, 28 to 18. A committee was then appointed to measure the Avenue, and reported that Gadsby's Hotel was jist half way; but that was full.

The Senate then adjourned, and Mr. Clay come round and tell'd me that as his Resolution had got me in this difficulty, he could'nt do less than put up a bed for me in his own lodgins, right in a line with Gadsby's; and *I* might sleep there in welcome, till the constitutional pints was all settled, and so here I be now, sleep at Mr. Clay's house and knock about through the day as well as I can, and most of the time in the Senate Chambers, where I find upon the hull, I've got a good thumpin majority, and afore Congress goes to home, I calculate the vote in tother house will change too; a good many there *I* find shakin in their shoes already, and as soon as they see your elections and the Virginny elections go as *I* hope they will, I calculate on gittin a two-third vote on ev'ry pint agin the folks who have got the Gineral in keepin now.

Yours, &c.
J. DOWNING, Major,
Downingville Militia, 2d Brigade.

☞EIGHT MILLIONS OF GLORY!!!—Comparisons establish facts sometimes better than arguments—especially when the comparisons are of positive and ascertained quantities. One of the boasts of this Administration is, that it is an administration of economy and reform.

With a view to put this boast of economy to the proof, we annex from the publication, which *Watkins Leigh* with happy satire designates as a commentary upon the Constitution, more explanatory even than the learned and able work of Judge Story—the *Blue Book*—certain tables, setting forth the expenditures under the same heads during the administration of *Mr. Adams* which General Jackson came to reform—and those of the first term of the Reform.—We begin with.

Expenses of Congress and Executive Department.

CONGRESS.

Years	*Compensation of Members of Congress.*	*Contingent Expenses of Congress.*
1825	496,551 48	85,289 00
1826	426,611 20	66,745 25
1827	321,299 00	90,666 25
1828	502,419 13	121,653 00
1829	355,124 96	120,450 00
1830	566,995 16	125,758 00
1831	293,482 41	100,800 00
1832	697,513 68	174,300 00

EXECUTIVE DEPARTMENT.

Years.	*Salaries of President, &c. &c.*	*Contingent expenses of Executive Offices.*
1825	385,404 17	75,686 41
1826	405,846 93	87,509 08
1827	414,931 91	88,656 20
1828	414,278 73	88,083 00
1829	431,337 46	92,707 31
1830	428,668 95	115,301 30
1831	458,105 86	103,866 38
1832	449,605 42	117,709 96

From this it results that during the first four years of the Reform, the expenditure under each of the above heads was greater than that under Mr. Adams, by—

For Compensation to members of Congress	165,000
Contingencies do do	57,000
Salaries of President, Vice President Heads of Departments, Clerks, &c.	149,000
Contingent expenses of Executive Officers.	90,000
Total	$461,000

Next comes expenditure on account of foreign relations.

Years.	*Salaries, &c.*	*Contingent expenses.*
1825	159,603 82	25,474 95
1826	161,479 90	18,627 07
1827	135,000 07	36,284 63
1828	119,651 24	18,791 97
1829	122,452 14	15,515 16
1830	187,252 65	30,000 00
1831	156,471 65	87,148 06
1832	168,847 51	77,849 18

Here again the Reform exceeds the previous administration by—

In salaries and outfits to Ministers, &c.	59,000
In *contingent* expenses of foreign missions,	111,000
Total.	$170,000

Then in total expenditures—

Years,	*Total expenditures.*
1825	23,585,801 72
1826	24,103,398 46
1827	22,656,764 04
1828	25,459,479 52
1829	25,044,358 40
1830	24,585,281 55
1831	30,038,436 12
1832	34,356,698 06

The increase of expenditure for reform, under this head, is only *eighteen millions!* Against this it is to be said that during the four years of reform *ten millions* more of the public debt were paid off than during the preceding four years—leaving still an increase—to be accounted for in Glory! of *eight millions.*

We terminate our culling for to-day from this precious book, with a statement of the number of members of Congress appointed to office during the same periods.

By Mr. Adams,	8
By Gen. Jackson,	21
Balance,	13

N. Y. American.

IMPORTANT DOCUMENT.

It will be recollected by the people of this country, that in attributing the derangement of the currency, removal of the deposites & other violations of the law in relation to the United States Bank, to the advice and countenance of Mr. Van Buren, his friends did not pretend to deny it, & even declared that he had been uniformly the open and unreserved enemy of that institution—that he had always considered it a monster, unconstitutionally chartered, and dangerous to our liberties.—How far such opinions really existed, may be gathered from the following application of the citizens of Albany for the establishment of a *Branch* of the Bank of the United States at that place, and among the *applicants* it will be seen, are *Van Buren, Marcy, Butler,* &c. &c.

To the Directors of the Bank of the United States:

The memorial of the subscribers, in behalf of themselves and their fellow citizens of Albany, respectfully sheweth—

That, since the completion of the Northern and Western Canals of this State, such facilities are given to transportation, that the quantities of country produce brought to this market from the interior of this State are increased to an immense amount; and when to this is added the produce which will be brought to this market from the fertile regions of the northwestern parts of Pennsylvania, the State of Ohio, and the Territory of Michigan, some idea may be formed of the amount of business which might be done in this place, was there sufficient monied capital located here, to give countenance and support to commercial enterprize. The capital of the Banks located here, under State incorporations, *is entirely insufficient to afford those facilities to commercial enterprise which the business of the place would warrant* and which the most cautious prudence would justify: The limited capital of our Banks forbids the extension of our trade. Merchants of moderate fortune are discouraged from taking up their abode amongst us, from a knowledge that the banking capital of the place is not adequate to the demands which are made upon it for the prosecuting of a sufficiently extensive business to render it profitable; and instances are not wanting of active, intelligent and enterprising merchants removing from this place to the city of New York, to participate in the benefits of an increased banking capital there although their business has principally been continued with the interior of this State. The western world is pouring its treasures into the market of Albany, but its citizens are doomed, with tantalized feelings, to behold a rich and profitable trade float past them to the city of New York, solely for the want of a sufficient banking capital located amongst them. Could the produce brought to this place be purchased here, such portion as is not wanted for home consumption might be exported directly from here to a foreign market, (as far as the navigation of the Hudson would permit,) and return cargoes, calculated for the interior of the country, might be imported without the expense of trans-shipment at New York, or the profits of the importing merchant there. These considerations have induced the citizens of Albany ONCE MORE to ask for the establishment of a Branch or office of discount and deposit of the Bank of the United States in this city.

It is hoped this application will be favorably received, as the same causes which render it desirable to the citizens of Albany to have a Branch of the United States Bank established here, conclusively shew, that it would be a source of profit to the parent institution. Indeed, it is believed that a Branch here would be more profitable in reference to the extent of business done, than several of the Branches located in sea-port towns. The local situation of Albany renders it an entrepot between the Eastern States and the Western countries, between the South and the North, and consequently a very extensive currency would be given to the bills issued from a branch here, and the nature of the trade which would be prosecuted here, *would in a great measure render the bills of a Branch established at this place the circulating medium of the extensive regions whose produce would be brought to this market.*

Inasmuch, therefore, as the establishment of a Branch here would not only be highly advantageous to this city, but be a source of profit to the parent institution, *we hope that the directors of the United States Bank will establish an office of discount and deposite at this place.*

ALBANY, July 10, 1826.

Mc Millan & Bagley,	CHASE DUDLEY,
Wm. Cook,	M. V. BUREN!!!
Jno J. Godfrey,	Isrl. Smith,
V. W. Rathbone;	*Corning & Norton,*
W & J. G. White,	J. Stillwell & Co.
Wm. McHarg,	J. Backus,
Hickcox & La Grange,	Webb & Drummer,
Wilder, Hastings & Co	Jas. Stevenson,
Spencer Stafford,	B. F. BUTLER,
S. & H. Stafford,	J. J. Hamilton,
G. & S. Buckley,	W. L. MARCY,
J. Pruyn,	J. Dewitt,
Marvin & Raymond,	Isaac Denniston,
Daniel Steele,	J. & I. Townsend,
A. & S. Light body,	Elisha Jenkins;
Gerrit L. Dox,	Charles R. Webster,
Saml Pruyn,	James La Grange
Humphrey & Co.	K. K. Van Rensselaer
Mancius & Le Breton,	Christian Miller,
John L. Wendall;	C. Humphreys,
J. McPherson,	Walter Clark,
W. C. Miller,	Alexander Marvin,
Tally Allen,	R. *H,* King & Co.
Lyman Root,	S. Van Rensselaer;
Joseph Dennison,	NATHAN SANFORD,
John Dow,	R. M Meigs,
W S. & E. C. McIntoish,	Rich'd Marvin,
	C. & E. Egbert,
Leml. Steele,	Chandler Starr,
Wood & Acres.	Isaac W. Staats,
J. & H. Meacham,	*Corns. Van Antwerp.*
C. Baldwin,	

Now then we have these men in black and white nailed to the very counter, from which they cannot escape—acknowledging the benefits of the bank—admitting the necessity of more capital in Albany—pointing out its profits—asking, in fact the United States Bank to give them aid in the shape of a Branch, to prevent produce going down to the city of New York! And among these humble petitioners are MARTIN VAN BUREN and WM. L. MARCY!

How are these men to get rid of the dilemma in which they are placed?—Not surely by saying that this was done in the year 1826. Principles never change although men do. What is decidedly avowedly unconstitutional in 1831 was equally unconstitutional 1826. They found the Bank *then,* as it is now *safe*—they considered it a valuable useful, institution calculated to do good to the trade of the country and they humbly petitioned *Nicholas Biddle* and his friends to grant them aid, and establish a Branch of this very monster as they now call it, at Albany—at the *Capitol*—in sight of the very Legislature who is about to mortgage every man's property to destroy that institution!—and among the petitioners are *Martin Van Buren and Wm. L. Marcy!!!*—"Oh, shame where is thy blush?" Consistency, the jewel of every honest man, is openly flouted, condemned, and despised by these trafficking politicians. We only ask men to *think for themselves* on this matter—to probe the *motives* of these aspiring politicians—to look into their *acts*—and then say, are they deserving the confidence of a free people? *N. Y. Star.*

From the Baltimore Patriot

VIRGINIA ELECTIONS

Extract of a letter from a gentleman in Virginia, to his friend in this city, dated April 18th.

"Our elections are going on bravely. I have no fears now. Many of those who are rated as Administration men would be glad of any pretext to turn against it. Depend on it, that of the real, thoroughgoing, Tom Ritchie-Rives-and-Van-Buren-Collarmen, the number in the next Legislature will be so contemptible, that they will be ashamed to *shew.* Virginia, and all true-blue Virginians, will put the seal of condemnation on them forever! The time will come when the betrayers of the popular interest, and the misrepresenters of the will of their constituents will have their reward in the shades of oblivion; when the Stevensons, the Chinns, the Lovals, &c, &c. to say nothing of the renowned *Gag* Mason and *Collar* Rives, will be blotted from the book of the people's rememberance, and registered in the foul page of the enemies of liberty

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From the Alexandria Gazette, of April 15.

VIRGINIA ELECTIONS.

Loudon.—Messrs. Janney, Beard, and McCartey, we understand, are elected.—All three strong Anti-Jackson men.

New Kent.—Robert Christian (Anti-Jackson) elected.

Pendleton.—Jones (Anti Jackson) elected.

Bath.—Mays (Anti Jackson) elected.

Pocahontas.—Cackley (anti-Jackson) elected.

Specie.—The whole amount entered at this port within thirty days past, exceeds two millions of dollars.—*Ibid.*

From the National Intelligencer of the 18th.

GEN. JACKSON'S MESSAGE TO THE SENATE.

A new chapter is opened in the political history of our country.

A message was yesterday received in the Senate from the President of the United States, purporting to be a protest, on the part of that high functionary, against the resolutions expressive of the opinion of the Senate touching the constitutionality and expediency of the removal of the public deposites, in the manner in which it was effected, from the Bank of the United States.

The message is of great length, the reading thereof by the secretary of the Senate having occupied more than an hour. *Having* had no opportunity of access to the document we are only enabled to give our readers such an idea of it as an imperfect hearing of it will enable us.

The message begins by reciting the resolutions passed by the Senate; and, considering it the duty of the President to protect his privileges from encroachment by every means in his power, declares the proceedings of the Senate to be unprecedented and extraordinary and enters his solemn protest against them.

Except as otherwise specially provided in the constitution, the message declares the rights of the executive and of the legislature to be co-equal. In this view, the president is of opinion that the proceedings of the senate, in the case referred to, are wholly unauthorised by the constitution. No such power as the senate has assumed is, he says, to be found in any part of the constitution, granted to either branch of the Legislature. To prove this he enters into "a brief analysis" of the powers conferred upon the senate by the constitution. Any proposition acted upon by the senate, to be within the sphere of its powers, he argues, must tend to legislative action, or, in its conclusion, must take the form of some executive or legislative act. The resolutions in question, he says, were not a legislative act; nor did they apply to any treaty or nomination before the Senate in its executive capacity. Nor did they relate to any of the cases in which the Senate might lawfully act (in reference to its own organization, &c.) without the consent of the other house.

They have, therefore, in his opinion, no warrant in the constitution. They amount to an impeachment, if the Senate had the power: but the house only has power to impeach, and the Senate only power to try impeachments when preferred by that body. The resolutions, the president says, embrace charges of usurpation and violation of the constitution, impeachable offences, and declare the president to be guilty of them; thus attempting to exercise all the moral power of impeachment, without observing, in any part of the proceeding, the provisions or requirements of the constitution in regard to impeachments. The resolutions, he further argues, prejudge a case in which the Senate might have been called upon to act judicially, had the house of representatives preferred an impeachment against the president, &c.

The whole proceeding, the president declares, in very plain terms, to have been an assumption, by the senate, of powers not conferred upon it by the constitution, and utterly incompatible with that instrument, and with the plainest dictates of equity and justice.

The president then goes on to object to the VAGUENESS of the resolution censuring the conduct of the executive. Though comprehensive enough, he says it contains no certainty of time place, or circumstance, which induced any one senator to vote for it. Although the resolution as originally moved, specified certain particular acts alleged to be contrary to the constitution and the laws, yet at the close of the debate it was so modified as to particularize nothing; a proceeding which the general very pointedly condemns: for, he adds, if the resolution had been put to the vote in its original form, it is presumed it would have received the sanction of but few votes, since the acts specified in it were clearly not contrary to the constitution, &c.

The message then enters into an elaborate exposition of the views which the President entertains of the extent of his own powers, reviewing the provisions of the constitution respecting the power of appointing officers of government, and the construction which they have received in practice. There is no such thing as officers under the control of congress it is argued, but those which spring from the power conferred upon each house by the constitution to choose its own officers, all the other officers except judges and the officers of courts, are appointed by the president, with or without the consent of the senate, and subject to his will and pleasure, thro' the power of removal, he being responsible for their good conduct, and for the due execution of the laws. The treasury department, like others, is wholly executive in its character, and likewise in its responsibility.—The custody of the public money is one of the functions of that department. For the discharge of that function it is responsible, not to congress, but to the president. The law establishing the Bank of the United States did not, the message argues, change the relations of the president and the secretary of the treasury to the public money: it did not release the former from the duty of directing where the public money should be kept, nor the latter from the supervision in relation to the discharge of his duties: it merely superadded a requisition, that, when the president should think fit to remove it from the Bank of the United States, the reasons for so doing should be laid before congress. So glaring had been the abuses of the bank, so determined it appeared to be to interfere in elections, and to corrupt the press, &c. the message says that the president had felt it to be his duty to interpose, to check the bank in its career, lessen its power to do mischief, &c. and, in doing so, remove the disobedient secretary who refused to act in the case. *In* such a case as this the senate has no right, upon the general argument of the message to interfere. If the senate had a right to interfere in such a case says the president, it had a right to make its interference effectual. *In* such a case some *future* senate might, in order to make such interference effective, omit to perform their own constitutional functions; refuse to pass the necessary appropriation laws, or to confirm proper nominations by the president—thus shadowing out the consequences which might result from such an usurping disposition on the part of the senate, &c &c.

The message then adverts to circumstances connected with the discussion and passage of the resolution censuring the president, who, it is argued, is the direct representative of the people, whilst the senate only intermediately represents them. The instructions from the legislatures of the states of Maine, New Jersey, and Ohio, expressing their attachment to the president, and their hostility to the bank of the United States, and instructing their senators to vote accordingly, are all embodied at length in the message. From these states, the message says, four senators out of the twenty-six voted in favor of the censure of the president: had they voted as instructed, 22 only, out of 48, would have sanctioned the accusation against the president, &c.

The message then goes on to depict the awful consequences which might follow from a submission to such usurpations, by the Senate of the rights of the executive; such as aristocracy, anarchy, or dismemberment of the government, &c.

The president also vindicates his private reputation from implications which he conceives to be contained in the vote of censure, &c.

The whole message concludes, for reasons briefly hinted at above, and other reasons which are not enumerated, (in course of which the length of term of service and irresponsibility of senators are more than once alluded to) with a solemn protest, which, with the Message, the president requests may be entered at large upon the journal of the senate.

The above is a hasty and faint outline, but substantially a correct one, of this important executive missive to the senate: which, the reader may very well conceive, produced not a little sensation within the precincts of the capitol.

EASTON GAZETTE

EASTON, (MD.)

Saturday Morning, April 26.

THE PROTEST.

These are eventful times.—Our attention has been greatly excited by reports of a Message or paper sent last week from the President of the United States to the Senate of Congress which we were taught to believe was only preliminary to ejecting that body from the Senate House by the bayonet—but really when the paper made its appearance, censurable and miserable as it is in all points, it fell so far below report that it sunk, after reading it, into comparative insignificance. A paper however from such a source to such a Body will always attract attention, and therefore we shall indulge a few thoughts upon the subject.

This paper purports to be a protest by the President of the United States against a late resolution of the Senate, when engaged in an examination of the Secretary of the Treasury's reasons for a removal of the public deposits, in which they declare, "That the President in the late Executive proceedings in relation to the public revenue, has assumed upon himself Authority and power not conferred by the Constitution and Laws, but in derogation of both"—which we explain thus—The Secretary of the Treasury being bound by law to give his reasons to Congress for the removal of the deposits, in order that Congress might decide on the sufficiency of those reasons & thereby either sanction the removal or forbid it,—the Senate, one branch of Congress, did go into a full examination of those reasons, as they were bound to do, and expressed their decided opinion against their sufficiency, and, of course, against the validity of the removal of the deposits—and in doing this, the Senate, finding that the President had most unwarrantably and illegally interfered in the matter from which he was excluded by law, and that he had exercised his constitutional power of removal from office to subserve this unwarrantable and illegal interferance, & had assumed an authority over the public treasure that was not only not directly, nor by any fair construction given to him, but which, according to all the established principles of our Government, it was unfit and dangerous that he should possess and wield, also declared, as they felt in duty bound to the States and the people to do; that the "President had assumed authority and power not conferred by the Constitution and Law, but in derogation of both."—

This is a plain statement of the case, & on this we are to judge how far the President is justified in uttering his protest, and what the merits or demerits of the act.

When the acts of a public officer are directly or incidentally mixed up in public transactions that necessarily come under the jurisdiction of the legislative Branches of the Government, nothing is more usual or more strictly within the province of their discretion than an expression of opinion how far the acts of the officer conform most to law or Constitution—and whether this opinion is declared in the course of general statement, or argument, or in the form of resolution, it is substantially the same. It may become necessary to declare and shew the unconstitutionality of the act of an officer in order the better to explain the correctness of their own course, and it would be hard to deprive them of this just aid—Besides, both Houses of Congress take an oath to support the Constitution of the United States, as well as the President does & the oath is binding upon them to the same extent that it is upon him—if this oath of office is so imperious upon the President as he sets forth, as to make him step out of his way to protest against the Senate, for a simple expression of their opinion, that his act is in derogation of law and Constitution—surely the Senate, under a similar imperious obligation of Oath, had an equal right to make that expression. So far then as for the oath of office being the impelling course to either party to act, it is the same in each—for, as for the pretended difference either in the greater extent or more solemn sanctity of an oath *to preserve, protect, and defend the Constitution of the United States,*

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